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**SERVICE EMPLOYEES  
INTERNATIONAL UNION, UNITED  
HEALTHCARE WORKERS—WEST**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

## California Pacific Medical Center,

Petitioner,

V.

## Service Employees International Union, United Healthcare Workers — West.

## Respondent.

Case No. C-06-4685 SC

**STIPULATION AND [PROPOSED]  
ORDER TO COORDINATE BRIEFING  
SCHEDULE AND CONTINUE CASE  
MANAGEMENT CONFERENCE**

Petitioner and Cross-Respondent California Pacific Medical Center (“CPMC”), and Respondent and Cross-Petitioner, Service Employees International Union, United Healthcare Workers—West (“UHW”), by and through their respective counsel of record, hereby stipulate and agree as follows:

WHEREAS, on August 1, 2006, CPMC filed a Petition to Vacate Or, In The Alternative, Correct the Arbitration Award:

WHEREAS, on August 21, 2006, UHW filed a Cross-Petition For Confirmation of Arbitration Award;

1           WHEREAS, both parties agree that the Petition to Vacate the Arbitration Award  
2 and the Cross-Petition to Confirm the Arbitration Award should be heard together at the  
3 initial case management conference;

4           WHEREAS, it best serves the interests of judicial economy to establish a  
5 coordinated briefing schedule and common hearing date for the Petition to Vacate the  
6 Arbitration Award and the Cross-Petition to Confirm the Arbitration Award;

7           NOW, THEREFORE, the parties hereby stipulate and agree as follows:

8           1.       The hearing on UHW's Motion to Confirm the Arbitration Award, filed on  
9 October 3, 2006, and currently scheduled for hearing on November 17, 2006, is hereby  
10 continued to **December 8, 2006**.

11           2.       CPMC shall file a combined Motion to Vacate the Arbitration  
12 Award/Opposition to Motion to Confirm Arbitration Award on or before **October 24,**  
13 **2006**.

14           3.       UHW shall file a combined Opposition to the Motion to Vacate/Reply on  
15 the Motion to Confirm Arbitration Award on or before **November 14, 2006**.

16           4.       CPMC shall file a Reply in support of its Motion to Vacate Arbitration  
17 Award on or before **November 21, 2006**.

18           5.       The initial case management conference (CMC) shall, with the Court's  
19 approval, be continued from November 17, 2006 to **December 8, 2006**. If a later CMC  
20 date is set, or if the CMC is continued on the Court's motion, the hearing on the parties'  
21 cross-motions will be reset to such later or continued date. Pursuant to FRCP  
22 26(a)(1)(E)(viii) and Local Rule 16-2(e), and because the cross-motions to confirm or  
23 vacate the arbitration award are likely to resolve this case in its entirety, the parties are  
24 relieved of any obligation to conduct a Rule 26(f) conference, select a plan for alternative  
25 dispute resolution, or file a CMC statement.

1 Dated: October 10, 2006.

O'MELVENY & MYERS LLP  
F. CURT KIRSCHNER JR.  
CHRISTOPHER T. SCANLAN  
LARRY B. GARRETT

4  
5 By: \_\_\_\_\_ /s/  
6 Larry B. Garrett  
7 Attorneys for Petitioner/Cross-Respondent  
8 CALIFORNIA PACIFIC MEDICAL  
9 CENTER

10 Dated: October 10, 2006.

WEINBERG, ROGER & ROSENFIELD P.C.  
11 BRUCE HARLAND  
12 WILLIAM A. SOKOL

13 By: \_\_\_\_\_ /s/  
14 Bruce A. Harland<sup>1</sup>  
15 Attorneys for Respondent/Cross-Petitioner  
16 SERVICE EMPLOYEES INTERNATIONAL  
17 UNION, UNITED HEALTHCARE  
18 WORKERS—WEST

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: 10/11/06



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1 Counsel e-filing this document represents that he has obtained the permission of Bruce A. Harland, counsel for  
2 Respondent/Cross-Petitioner, to file this Stipulation and [Proposed] Order on Respondent/Cross-Petitioner's behalf.